APHC010594432026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3458]**
(Special Original Jurisdiction)

THURSDAY, THE 12th DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

WRIT PETITION NO: 32553/2026

Between:

1. PALAPARTHI VENKATESWARA, RAO, S/O CHINNA KASAIAH AGED ABOUT YEARS, CASTE SCHEDULE TRIBE, D.NO. 13-1-328/A SCHEDULE TRIBE COLONY, SRINIVASA NAGAR, NARASARAOPET, PALANADU DISTRICT-522601
2. GANTENAPATI GABRIEL, S/O G.KOTESWARA RAO AGED ABOUT YEARS, CASTE SCHEDULE CASTE, ALLO. 12-1-147/3, KOTESWARA NAGAR, SHALEM NAGAR, NARASARAOPET, PALNADU DISTRICT 522601

...PETITIONER(S)

AND

1. THE STATE ELECTION COMMISSION OF ANDHRA PRADESH, , REP BY ITS STATE ELECTION COMMISSIONER, OFFICE AT 1ST FLOOR, NEW RAND B BUILDING MG ROAD, OPP INDIRA GANDHI MUNICIPAL STADIUM, LABBIPET, VIJAYAWADA-522010
2. THE STATE OF ANDHRA PRADESH, REP BY ITS PRINCIPAL SECRETARY TO GOVERNMENT, MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMARAVATHI, GUNTUR DISTRICT 522238.
3. THE DISTRICT ELECTION AUTHORITY AND COLLECTOR AND DISTRICT MAGISTRATE, NARASARAOPET, PALNADU DISTRICT 522601
4. THE REVENUE DIVISIONAL OFFICER CUM ELECTORAL REGISTRATION OFFICER, NARASARAOPET, PALNADU DISTRICT. 522601
5. THE NARASARAOPET MUNICIPALITY, REPRESENTED BY ITS MUNICIPAL COMMISSIONER, NARASARAOPET. PALNADU

DISTRICT.

...RESPONDENT(S):

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased tomay be pleased to issue a Writ of Mandamus or any other appropriate Writ, Order or Direction Declaring the Notification bearing Roc.N0.1258/2026/G1 Dated 31.10.2026 issued by the Respondent NO.3 to that extent of allocation of excess Wards to the Backward Classes is illegal, arbitrary, violative of provisions of Section 8(1)(b) AP Municipalities Act 1965 and G.O.Rt.No.1065 MA and UD (G) Department Dated 19.8.2026 and contrary to Articles 14, 15 and 341 of Constitution of India and consequently to direct the Respondents to follow the Section 8(1)(a) of the A.P. Municipalities act 1965 and to enhance the allocation of Wards to the Schedule Caste and Schedule Tribe as per their proportionate of total population of the Respondent NO.5 Municipality, in the interest of justice and pass such

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Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased

Counsel for the Petitioner(S):

1. K ASAD AHAMED

Counsel for the Respondent(S):

1. GP FOR MUNCIPAL ADMN URBAN DEV
2.

The Court made the following:

ORDER:-

Heard Sri Asad Ahamed, learned counsel for the petitioners,Sri N.Ashwani Kumar, learned Standing Counsel appearing for the respondent No.1, learned Government Pleader for Municipal Administration and Urban Development appearing for the respondent No.2 and Smt. Sireesha Rani Vallabhaneni, learned Standing Counsel appearing for the respondent No.5.

2. The grievance of the petitioner in the instant writ petition is against the Notification bearing Roc.No.1258/2026/G1 Dated 31.10.2026 issued by the respondent No.3 allocating excess of Wards to the Backward Classes.

3. The learned Government Pleader for Municipal Administration would submit that under Section 8(1)(a) of the AP Municipalities Act, the number of seats reserved for SCs and STs is determined in proportion to their respective population in the municipality. Whereas, in terms of Section 8(1)(b) of the Municipalities Act, 1/3 of the seats would be reserved for the BC Category, subject to the condition that the aggregate of reservations for STs, SCs, and BCs shall not exceed 50% of the total seats. It is further contended that in the approved seat fixation statement for the subject municipality, the total ward strength is 48. The category-wise reservations were shown as ST-1, SC-4, B.C-19 seats. Accordingly, aggregate Reservation is 50% of the total 48 seats. It is contended that the ST,SC seat numbers are calculated with

reference to their population percentages, while B. C. seats are fixed at 1/3 of the total seats, subject to the aggregate 50% ceiling per ST, SC and BC's reservation. This categorization is also stated to be based on a prescribed descending order of category-wise voter% while maintaining the sequence of ST, SC, and B. C. women's reservation. Thus, it is argued that the notification dated 31.10.2026 issued by the District Election Authority complies with the rules issued by the Election Authority. The learned Government Pleader further submits that the Government has issued GOMS No. 251 dated 11.10.2026, pursuant to the Judgment of the Hon'ble Apex Court, laying down the requirement of compliance with the triple test for providing reservation to the backward classes in local bodies. In this regard, the Government had constituted a Dedicated Commission and directed that the reservation for backward classes in urban local bodies shall be determined and implemented in accordance with the findings and recommendations of the dedicated commission. It also directed that the reservation for STs, STs and Backward Classes shall be up to 50% and shall not exceed 50%. Having regard to the same, the learned Government Leader submits that the total reservations did not cross 50% of the seats. Thus, the petitioner's grievance is untenable, unsustainable, and does not merit further consideration.

4. Having regard to the said submission of the learned Government Pleader and the bar as envisaged under Art.243ZG of the Constitution of India this court is of the view that once the reservation has been fixed strictly in accordance with the statutory provisions and the rules governing

the subject, after following the prescribed procedure, the claim of the petitioner challenging such reservation is misconceived and untenable; in the absence of any allegation of violation of provisions of the statute, procedural irregularity or arbitrariness in implementation of reservations, interference with the decision-making process in fixing the reservation to the respective categories of SC, STs and BCs is unsustainable. In the light of the foregoing, the writ petition is disposed of. The petitioner is at liberty to avail the alternative remedies available under law. There shall be no order as to costs.

As a sequel, miscellaneous applications pending, if any, shall also stand closed.

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JUSTICE KIRANMAYEE MANDAVA

Dated: 12.11.2026

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THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

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Dated: 12.11.2026
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